

HOUSE BILL NO. HB0236

School finance-omnibus education funding.

Sponsored by: House Education Committee

A BILL

for

1 AN ACT relating to school finance; an omnibus bill
2 addressing education funding; revising the existing
3 education funding formula; providing additional revenue for
4 education by transferring existing revenues; providing
5 additional revenue for education through a contingent sales
6 and use tax increase; providing for moratoria on new
7 alternative schools and purchases and leases of school
8 buses and other restrictions on education expenditures;
9 specifying various dates for determination of funds to be
10 distributed and for other implementation purposes;
11 establishing a joint select committee on education funding;
12 requiring reports; providing appropriations; modifying
13 previous appropriations; providing sunset dates; and
14 providing for effective dates.

15

16 *Be It Enacted by the Legislature of the State of Wyoming:*

1

2 **Section 1.** W.S. 9-4-219, 9-4-601(a)(ii) and (d)(iii),
3 9-4-719(f), 21-13-101(a)(i), (xiv) and (xvii), 21-13-306 by
4 creating a new subsection (d), 21-13-309(m)(v)(intro),
5 (B)(IV)(intro), by creating a new subdivision (V) and (C),
6 21-13-315(b), 21-13-320 by creating new subsections (j)
7 through (m), 21-13-321(b), 21-15-111(a)(i),
8 39-14-801(b)(intro) and by creating a new paragraph (iii),
9 39-15-104 by creating new subsections (h) and (j),
10 39-15-111(b)(intro) and by creating a new subsection (p),
11 39-16-104 by creating a new subsection (g) and
12 39-16-111(b)(intro) and by creating a new subsection (p)
13 are amended to read:

14

15 **9-4-219. Legislative stabilization reserve account**
16 **created; purposes.**

17

18 (a) The legislative stabilization reserve account
19 created by 2005 Wyoming Session Laws, Chapter 191, Section
20 4, Section 301(d) is continued and codified. Funds within
21 the account shall only be expended by legislative
22 appropriation. All funds within the account shall be

1 invested by the state treasurer and all investment earnings
2 from the account shall be credited to the general fund.

3
4 (b) To the extent funds are available after all other
5 appropriations or transfers from the legislative
6 stabilization reserve account to be made on or prior to
7 June 30 of the applicable fiscal year have been made, an
8 amount necessary to restore the unobligated, unencumbered
9 balance within the public school foundation program account
10 to one hundred million dollars (\$100,000,000.00) on June 30
11 of each fiscal year shall be transferred from the
12 legislative stabilization reserve account into the public
13 school foundation program account. This subsection is
14 repealed the month immediately following the date that the
15 state auditor and the state treasurer first certify to the
16 governor and the department of revenue, and the governor
17 certifies the same to the secretary of state, that the
18 amount in the legislative stabilization reserve account is
19 less than five hundred million dollars (\$500,000,000.00).

20
21 **9-4-601. Distribution and use; funds, accounts,**
22 **cities and towns benefited; exception for bonus payments.**

23

1 (a) All monies received by the state of Wyoming from
2 the secretary of the treasury of the United States under
3 the provisions of the act of congress of February 25, 1920
4 (41 Stat. 437, 450; 30 U.S.C. §§ 181, 191), as amended, or
5 from lessees or authorized mine operators and all monies
6 received by the state from its sale of production from
7 federal mineral leases subject to the act of congress of
8 February 25, 1920 (41 Stat. 437, 450; 30 U.S.C. §§ 181,
9 191) as amended, except as provided by subsection (b) of
10 this section, shall be deposited into an account and the
11 first two hundred million dollars (\$200,000,000.00) of
12 revenues received in any fiscal year shall be distributed
13 by the state treasurer as provided in this subsection. One
14 percent (1%) of these revenues shall be credited to the
15 general fund as an administrative fee, and the remainder
16 shall be distributed as follows:

17

18 (ii) ~~Subject to paragraph (xi) of this section,~~
19 Forty-four and eight-tenths percent (44.8%) to the public
20 school foundation program account subject to allocations
21 under W.S. 9-4-605;

22

1 (d) Any revenue received under subsection (a) of this
2 section in excess of two hundred million dollars
3 (\$200,000,000.00) shall be distributed as follows:

4

5 (iii) Subject to paragraphs (v) and (vi) and
6 ~~(viii)~~ of this subsection, one-third (1/3) to the school
7 foundation program account;

8

9 **9-4-719. Investment earnings spending policy**
10 **permanent funds.**

11

12 (f) There is created the common school permanent fund
13 reserve account. ~~Beginning July 1, 2015 for fiscal year~~
14 ~~2016 and~~ On July 1 of each fiscal year ~~thereafter,~~ the
15 state treasurer shall transfer unobligated funds from this
16 account to the common school account within the permanent
17 land income fund as necessary to ensure that an amount
18 equal to ~~two and one-half percent (2.5%)~~ five percent (5%)
19 of the previous five (5) year average market value of the
20 common school account within the permanent land fund,
21 calculated from the first day of the fiscal year is
22 available for expenditure annually during the fiscal year.
23 ~~As soon as possible after the end of each of the fiscal~~

1 ~~years beginning on and after July 1, 2000, revenues in this~~
2 ~~account in excess of ninety percent (90%) of the spending~~
3 ~~policy amount shall be credited to the common school~~
4 ~~account within the permanent land fund.~~

5
6 **21-13-101. Definitions.**

7
8 (a) As used in this chapter:

9
10 (i) "Average daily membership" or "ADM" means
11 the aggregate number of pupils present plus the aggregate
12 number of pupils absent, divided by the actual number of
13 days the school is in session for the year. Pupils who
14 attend at least eighty percent (80%) of a full time
15 equivalency basis shall be considered full time. For pupils
16 enrolled in school on less than eighty percent (80%) of a
17 full time equivalency basis, the school district shall
18 calculate the pupil's contribution to the ADM on a prorated
19 basis with the hours or class periods of enrollment being
20 the numerator and the hours or class periods of full time
21 equivalency being the denominator. Pupils who have
22 withdrawn from school or who have been absent for more than

1 ten (10) consecutive calendar days shall not be counted as
2 members;

3
4 (xiv) "Education resource block grant model"
5 means the block grant model for Wyoming school finance
6 contained within the enumeration of model components
7 summarizing and executing recommendations within the 2010
8 cost of education study as modified by the legislature and
9 as referenced in paragraph (xvii) of this subsection. and
10 "Education resource block grant model" or "model" includes
11 model spreadsheets ~~provided by the consultant performing~~
12 ~~the 2010 cost of education study~~ updated with technical
13 corrections, all of which are enacted into law, on file
14 with the secretary of state and are maintained and made
15 available for public inspection by the state superintendent
16 under W.S. 21-2-202(e), and as may be subsequently modified
17 by the legislature prior to future model recalibration
18 required under W.S. 21-13-309(t);

19
20 (xvii) "Attachment A" to 2011 House Bill 0127 as
21 amended by 2012 Wyoming Session Laws, Chapter 99 consists
22 of an enumeration of model components as enacted into law,
23 summarizing and executing recommendations contained within

1 the 2010 cost of education study, as modified by the
2 legislature, and is hereby incorporated into this chapter
3 by this reference;

4

5 **21-13-306. Foundation program account established;**
6 **disposition of monies.**

7

8 (d) Upon making a deposit to the general fund
9 pursuant to W.S. 39-14-801(b)(iii) the state treasurer
10 shall transfer an equal amount from the general fund to the
11 public school foundation program account. This subsection
12 is repealed June 30, 2023.

13

14 **21-13-309. Determination of amount to be included in**
15 **foundation program for each district.**

16

17 (m) In determining the amount to be included in the
18 foundation program for each district, the state
19 superintendent shall:

20

21 (v) Based upon ADM computations and identified
22 school configurations within each district pursuant to
23 paragraph (iv) of this subsection, compute the foundation

1 program amount for each district as prescribed by the
2 education resource block grant model adopted by the Wyoming
3 legislature as defined under W.S. 21-13-101(a)(xiv), as
4 contained within the spreadsheets and accompanying reports
5 referenced under W.S. 21-13-101(a)(xvii). ~~on file with the~~
6 ~~secretary of state and maintained by the state~~
7 ~~superintendent pursuant to W.S. 21-2-202(e).~~ The following
8 criteria shall be used by the state superintendent in the
9 administration of the education resource block grant model:

10
11 (B) Alternative schools qualifying for
12 separate consideration under the education resource block
13 grant model may be established by a school district for
14 offering educational programs to students with educational
15 needs which the district finds are not appropriately met by
16 other schools in the district, excluding charter schools
17 established under W.S. 21-3-301 through 21-3-314.
18 Alternative schools included within a district's
19 configuration of schools identified under paragraph (iv) of
20 this subsection shall for purposes of the education
21 resource block grant model:

22

1 (IV) Except as otherwise provided in
2 subdivision (V) of this subparagraph, on and after July 1,
3 2014, and if not qualifying under subdivision (I) of this
4 subparagraph, be approved by the state superintendent
5 subject to the following:

6
7 (V) Not be included for purposes of
8 the block grant model if established on or after March 15,
9 2017 and before June 30, 2019. No new alternative school
10 shall be approved by the department on and after March 15,
11 2017 and before July 1, 2019.

12
13 (C) Salaries for all school and district
14 level staffing categories, including teachers, principals
15 and assistant principals, central office administrators,
16 secretarial and clerical staff, operations and maintenance
17 staff and aides and media technicians, shall be based upon
18 average statewide salary levels calibrated ~~for school year~~
19 ~~2005-2006~~ under "Attachment A" for each staffing category,
20 adjusted under subsection (o) of this section, including
21 the experience, education and responsibility level as
22 appropriate and as computed for each staffing category.
23 The statewide average for each staffing category shall be

1 adjusted for each district based upon the district
2 experience, education and responsibility level relative to
3 the statewide average for that category. District
4 experience, education and responsibility level by
5 appropriate staffing category shall be updated each year
6 such that district adjustments reflect the prior school
7 year staffing information. The district adjusted average
8 salary for each staffing category shall be further adjusted
9 for regional cost differences as measured by the greater of
10 the hedonic wage index or the Wyoming cost-of-living index
11 computed by the division of economic analysis, department
12 of administration and information, with a minimum of one
13 hundred (100) index value, as prescribed by the education
14 resource block grant model. For purposes of the education
15 resource block grant model, the version of the Wyoming
16 cost-of-living index used by the division shall be based
17 upon the unrecalibrated housing cost index weights unless
18 otherwise determined by the legislature based upon
19 recommendation of the joint education interim committee.
20 In addition, the version of the Wyoming cost-of-living
21 index applied under this subparagraph for any school year
22 shall be the average of the six (6) consecutive semi-annual

1 index reports completed by January 1 of the immediately
2 preceding school year;

3

4 **21-13-315. Costs of court ordered placement of**
5 **children in private residential treatment facilities, group**
6 **homes, day treatment programs and juvenile detention**
7 **facilities.**

8

9 (b) Except to the extent costs are covered under
10 subsection (n) of this section, the department of education
11 using federal or foundation funds, or both, shall pay for
12 the allowable education costs of juvenile and district
13 court ordered placements of children residing in private
14 treatment facilities and group homes where a fee is
15 charged, including court ordered placements in programs for
16 children with disabilities provided by a board of
17 cooperative educational services. No district shall receive
18 funds, either directly or indirectly, from any facility or
19 home receiving payment under this section for providing
20 education programs and services to children placed and
21 residing in the facility or home, but the district may
22 count the children among its average daily membership if
23 the district provides education services directly to the

1 children or pays another district to provide education
2 services to the children pursuant to contract. The
3 department of education shall adopt reasonable rules and
4 regulations prescribing standards and allowable costs for
5 educational program services funded under this section.
6 Standards shall be subject to W.S. 21-9-101 and 21-9-102
7 and rules and regulations of the state board and shall be
8 designed to fit the unique populations of residential
9 centers, group homes, programs and services provided by
10 boards of cooperative educational services and out of state
11 placement facilities.

12

13 **21-13-320. Student transportation; amount within**
14 **school foundation program formula for transportation**
15 **maintenance and operations expenditures and school bus**
16 **purchases; district reporting requirements.**

17

18 (j) Effective for the school year 2018-2019 and each
19 school year thereafter the amount computed under this
20 section shall be in accordance with the provisions of this
21 subsection. Each district shall receive:

22

1 (i) An amount equal to an average of the amounts
2 the district received for school years 2014-2015, 2015-2016
3 and 2016-2017 pursuant to paragraphs (i) and (ii) of
4 subsection (b) of this section; plus

5
6 (ii) The amount authorized by and computed in
7 accordance with subsection (g) of this section for each
8 school bus purchased or initially leased prior to March 15,
9 2017; plus

10
11 (iii) An amount calculated in accordance with
12 subsection (g) of this section for each school bus
13 purchased or initially leased on or after March 15, 2017,
14 if the school district first applied to the department and
15 the department determined the purchase or lease was
16 necessary to alleviate an emergency.

17
18 (k) For the 2018-2019 school year and each school
19 year thereafter, the provisions of subsections (b), (c) and
20 (f) of this section shall not be used to compute the amount
21 a school district receives pursuant to this section, but
22 the remaining requirements of those subsections shall be
23 effective. As of July 1, 2018, subsection (g) of this

1 section shall be applicable only as necessary to determine
2 an amount under subsection (j) of this section.

3
4 (m) No district shall purchase a school bus or enter
5 into a new lease for a school bus on or after March 15,
6 2017 unless it first applies to the department and the
7 department determines that an emergency exists
8 necessitating the purchase or lease of the bus.

9
10 **21-13-321. Special education; amount within**
11 **foundation program formula for special education programs**
12 **and services; district reporting requirements.**

13
14 (b) Effective for school year 2018-2019 and each
15 school year thereafter, the amount provided for special
16 education within the education resource block grant model
17 pursuant to W.S. 21-13-309(m)(v)(E)(II) shall be equal to
18 one hundred percent (100%) of the amount actually expended
19 by the district during ~~the previous~~ school year 2016-2017
20 for special education programs and services.

21
22 **21-15-111. Definitions.**

23

1 (a) As used in this act, unless the context requires
2 otherwise:

3
4 (i) "Capital construction account" or "school
5 capital construction account" means the account into which
6 revenues are deposited pursuant to W.S. 9-4-305(b), and
7 9-4-601(a)(vii), (b)(i) and (iv), and 21-13-306(e), into
8 which the proceeds from any revenue bonds are credited
9 under W.S. 21-15-108, and into which any other funds are
10 appropriated to the account for purposes of this act. Funds
11 within the account shall be expended only for purposes of
12 and in the manner prescribed by this act;

13

14 **39-14-801. Severance tax distributions; distribution**
15 **account created; formula.**

16

17 (b) Before making distributions from the severance
18 tax distribution account under subsections (c) through (e)
19 of this section, an amount equal to two-thirds (2/3) of the
20 amount of tax collected under W.S. 39-14-104(a)(i) and
21 (b)(i) and 39-14-204(a)(i) for the same period shall be
22 deposited into the permanent Wyoming mineral trust fund,

1 except for the period from March 15, 2016 through June 30,
2 ~~2018~~2022 these funds shall be deposited as follows:

3
4 (iii) For fiscal years 2019 through 2022, these
5 funds shall be deposited to the general fund.

6
7 **39-15-104. Taxation rate.**

8
9 (h) Effective on the date specified in this
10 subsection, in addition to the sales tax under subsections
11 (a) and (b) of this section, if applicable, there is
12 imposed an additional sales tax of one-half of one percent
13 (0.5%) which, except as otherwise provided in this
14 subsection, shall be administered in the same manner as the
15 sales tax under subsection (a) of this section. The revenue
16 from the tax imposed by this subsection shall be
17 distributed as provided in W.S. 39-15-111(p). This
18 subsection is effective beginning the month immediately
19 following the date that the state treasurer first certifies
20 to the governor and the department of revenue, and the
21 governor certifies the same to the secretary of state, that
22 the unobligated, unencumbered balance in the legislative

1 stabilization reserve account is less than five hundred
2 million dollars (\$500,000,000.00).

3
4 (j) Not later than December 31 of each year, the
5 state superintendent and the department of revenue shall
6 calculate the total amounts distributed by the state
7 pursuant to W.S. 21-13-309(p), together with all other
8 state funds distributed to school districts by the
9 department of education in the immediately preceding school
10 year, but excluding distributions pursuant to W.S.
11 21-15-109, 21-15-118 and 21-15-120. The superintendent and
12 the department of revenue shall also calculate the
13 percentage of that total amount distributed which was
14 attributable to the taxes imposed by W.S. 39-13-104(a)(iv),
15 (b)(ii) and (d)(i) for the corresponding school year. If
16 the superintendent determines that the percentage
17 attributable to taxes imposed by W.S. 39-13-104(a)(iv),
18 (b)(ii) and (d)(i) was sixty-five percent (65%) or greater
19 of the total amount distributed, the superintendent shall
20 so certify to the governor and the department of revenue,
21 the governor shall certify the same to the secretary of
22 state, and the tax imposed by subsection (h) of this

1 section shall be discontinued as of July 1 in the year
2 following filing of the certification by the governor.

3
4 **39-15-111. Distribution.**

5
6 (b) Revenues earned under W.S. 39-15-104 during each
7 fiscal year shall be recognized as revenue during that
8 fiscal year for accounting purposes. Except for revenue
9 collected through the tax under W.S. 39-15-104(h) as
10 provided in subsection (p) of this section, for all revenue
11 collected by the department under W.S. 39-15-104 the
12 department shall:

13
14 (p) For all revenue collected by the department under
15 W.S. 39-15-104(h), the department shall credit one hundred
16 percent (100%) to the public school foundation program
17 account.

18
19 **39-16-104. Taxation rate.**

20
21 (g) Effective on the date specified in this
22 subsection, in addition to the use tax under subsections
23 (a) and (b) of this section there is imposed an additional

1 use tax of one-half of one percent (0.5%) which , except as
2 otherwise provided in this subsection, shall be
3 administered in the same manner as the use tax under
4 subsection (a) of this section. The revenue from the tax
5 imposed by this subsection shall be distributed as provided
6 in W.S. 39-16-111(p). This subsection is effective
7 beginning the month immediately following the date that the
8 state auditor and state treasurer first certify to the
9 governor and the department of revenue, and the governor
10 certifies the same to the secretary of state, that the
11 unobligated, unencumbered balance in the legislative
12 stabilization reserve account is less than five hundred
13 million dollars (\$500,000,000.00). The tax imposed by this
14 subsection shall be discontinued as of July 1 in the year
15 following a certification under W.S. 39-15-104(j).

16

17 **39-16-111. Distribution.**

18

19 (b) Revenues earned under this article during each
20 fiscal year shall be recognized as revenue during that
21 fiscal year for accounting purposes. Except for revenue
22 collected through the tax under W.S. 39-16-104(g) as
23 provided in subsection (p) of this section, revenue

1 collected by the department from the taxes imposed by this
2 article shall be transferred to the state treasurer who
3 shall, as specified by the department:
4

5 (p) For all revenue collected by the department under
6 W.S. 39-16-104(g), the department shall credit one hundred
7 percent (100%) to the public school foundation program
8 account created under W.S. 21-13-306(a).
9

10 **Section 2.** W.S. 9-4-601(a)(xi) and (d)(viii),
11 9-4-719(r), 21-13-306(c), 21-13-306.1, 21-13-307(a)(iv),
12 21-13-334, 21-13-335 and 21-15-122 are repealed.
13

14 **Section 3.** 2011 Wyoming Session Laws, Chapter 185,
15 ATTACHMENT "A" (b)(vi), (ix), (x), (xxi), (xxiii) through
16 (xxviii), (xxx), (xxxi), (xxxiv) and (xxxv) is amended to
17 read:
18

19 ATTACHMENT "A"
20 ATTACHMENT "A" CONTAINS AN ENUMERATION OF EDUCATION
21 RESOURCE BLOCK GRANT MODEL COMPONENTS SUMMARIZING AND
22 EXECUTING RECOMMENDATIONS CONTAINED IN THE 2010 COST OF
23 EDUCATION STUDY AS FOLLOWS:

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(b) Notwithstanding components specified in the 2010 cost of education study accepted by the legislature, the Wyoming education resource block grant model components and the resourcing for those components, as enacted by the legislature, shall be as follows:

(vi) Instructional facilitators: ~~Computed~~
~~in accordance with W.S.~~
~~21-13-335.~~ (A) 0.90 FTE
teacher position for 288
ADM prototypical
elementary school for
school year 2017-2018.
0.45 FTE teacher
position for 288 ADM
prototypical elementary
school for school year
2018-2019 and each year
thereafter;
(B) 0.90 FTE teacher
position for 315 ADM

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(B) Minimum of 0.5 FTE
teacher position for
each district.

(x) Summer school: Computed in accordance
with ~~W.S. 21-13-334~~
paragraph (ix) of this
subsection.

(xxi) ~~Books/Ins. Materials~~ Instructional
materials:
~~\$333.43/elementary and
middle school ADM;~~
~~\$408.26/~~ \$191.37 per
elementary, middle and
high school ADM.

(xxiii) Special education: ~~100% state
reimbursement of prior
year actual expenditures~~
Computed in accordance
with W.S. 21-13-321.

1 (xxiv) Gifted: ~~\$29.19~~ \$40.29/ADM.

2

3 (xxv) Vocational education: 0.29 times FTE

4 vocational education

5 ADM;

6 ~~\$9,027.27~~ \$9,428.77/FTE

7 vocational education

8 teacher for equipment

9 and supplies.

10

11 (xxvi) Student activities: Resource under

12 the following school

13 configurations:

14 ~~K-5~~ Elementary school:

15 ~~\$24.05~~ \$23.79/ADM;

16 ~~6-8~~ Middle school:

17 Declining linearly from

18 ~~\$791.02~~ \$782.54/ADM at 1

19 ADM school to ~~\$204.38~~

20 \$202.18/ADM for 1,260

21 ADM school;

22 ~~9-12~~ High school:

23 Declining linearly from

1 adjustment made pursuant
2 to W.S. 21-13-309(o).

3
4 (xxx) Central office nonpersonnel expenses:
5 ~~\$350.28~~ \$365.86/ADM.

6
7 (xxxii) Transportation: ~~100% state~~
8 ~~reimbursement of prior~~
9 ~~year actual expenditures~~
10 Computed in accordance
11 with W.S. 21-13-320.

12
13 (xxxiv) M & O supplies: ~~\$0.64~~ \$0.67 per
14 110% of gross square
15 feet of authorized
16 education space.

17
18 (xxxv) Utilities: Actual 2009-2010
19 expenditures by district
20 as adjusted by 2015
21 Wyoming Session Laws,
22 Chapter 142, Section 2,
23 Section 205 footnote

1 Laws, Chapter 99, ATTACHMENT "A" (b)(xxii) is amended to
2 read:

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4

ATTACHMENT "A"

5 ATTACHMENT "A" CONTAINS AN ENUMERATION OF EDUCATION
6 RESOURCE BLOCK GRANT MODEL COMPONENTS SUMMARIZING AND
7 EXECUTING RECOMMENDATIONS CONTAINED IN THE 2010 COST OF
8 EDUCATION STUDY AS FOLLOWS:

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10 (b) Notwithstanding components specified in the
11 2010 cost of education study accepted by the
12 legislature, the Wyoming education resource block
13 grant model components and the resourcing for those
14 components, as enacted by the legislature, shall be as
15 follows:

16

17 (xxii) ~~Computers,~~ Technology equipment:
18 ~~\$291.90~~ ~~————~~ \$250.00/ADM,
19 which amount is not
20 subject to any
21 adjustment made pursuant
22 to W.S. 21-13-309(o).

23

1 **Section 5.** 2016 Wyoming Session Laws, Chapter 31,
2 Section 2, Section 205 is amended to read:

3
4 **Section 205. EDUCATION-SCHOOL FINANCE** ².

5 PROGRAM

6 School Foundation Program ¹ .			<u>1,677,514,609</u> S5	<u>1,677,514,609</u>
7			<u>1,723,465,604</u> S5	<u>1,723,465,604</u>
8 Court Ordered Placements			19,433,639 S5	19,433,639
9 Foundation-Specials ¹ .			<u>79,765,894</u> S5	<u>79,765,894</u>
10			<u>78,742,048</u> S5	<u>78,742,048</u>
11 Education Reform			9,654,900 S5	9,654,900
12 Student Performance Data			6,351,539 S5	6,351,539
13 TOTALS	0	0	<u>1,792,720,581</u>	<u>1,792,720,581</u>
14			<u>1,837,647,730</u>	<u>1,837,647,730</u>

15 AUTHORIZED EMPLOYEES				
16 Full Time		3		
17 Part Time		0		
18 TOTAL		<u>3</u>		

19 1. (a) This other funds appropriation includes funding for an external cost
20 adjustment to the education resource block grant model computed as follows:

21 (i) Effective for school year 2016-2017 only:

22 (A) For the "professional labor" category of model
23 components inclusive of those components defined by 2012 Wyoming Session Laws,
24 Chapter 99, Section 3 [Attachment "A"(a)(vi)], two and one hundred forty-eight
25 thousandths percent (2.148%);

26 (B) For the "nonprofessional labor" category of model
27 components inclusive of those components defined by 2012 Wyoming Session Laws,
28 Chapter 99, Section 3 [Attachment "A"(a)(v)], one and nine hundred forty-seven
29 thousandths percent (1.947%);

30 (C) For the "energy" category of model components
31 inclusive of those components defined by 2012 Wyoming Session Laws, Chapter 99,
32 Section 3 [Attachment "A"(a)(iv)], two and four hundred forty-five thousandths
33 percent (2.445%);

34 (D) For the "educational materials" category of model
35 components inclusive of those components defined by 2012 Wyoming Session Laws,
36 Chapter 99, Section 3 [Attachment "A"(a)(iii)], two and one hundred twenty-six
37 thousandths percent (2.126%).

38 ~~(ii) Effective for school year 2017-2018 only:~~

39 ~~(A) For the "professional labor" category of model~~
40 ~~components inclusive of those components defined by 2012 Wyoming Session Laws,~~
41 ~~Chapter 99, Section 3 [Attachment "A"(a)(vi)], one and four hundred sixty-two~~
42 ~~thousandths percent (1.462%);~~

43 ~~(B) For the "nonprofessional labor" category of model~~
44 ~~components inclusive of those components defined by 2012 Wyoming Session Laws,~~

1 ~~Chapter 99, Section 3 [Attachment "A"(a)(v)], one and three hundred twenty six~~
2 ~~thousandths percent (1.326%);~~

3
4 ~~(C) For the "energy" category of model components~~
5 ~~inclusive of those components defined by 2012 Wyoming Session Laws, Chapter 99,~~
6 ~~Section 3 [Attachment "A"(a)(iv)], one and six hundred sixty five thousandths~~
7 ~~percent (1.665%);~~

8
9 ~~(D) For the "educational materials" category of model~~
10 ~~components inclusive of those components defined by 2012 Wyoming Session Laws,~~
11 ~~Chapter 99, Section 3 [Attachment "A"(a)(iii)], one and four hundred~~
12 ~~forty seven thousandths percent (1.447%).~~

13
14 2. Not later than November 1, 2016, pursuant to W.S. 21-13-309(o) and
15 (u), the joint education interim committee and the joint appropriations
16 committee shall review information prepared for the model monitoring process,
17 including school year 2015-2016 average daily membership data, to inform
18 recommendations made to the governor and the legislature pursuant to law to
19 modify the external cost adjustment contained in footnote 1(a)(ii) of this
20 section. Not later than January 1, 2017, the department of education shall
21 provide preliminary student enrollment data for school year 2016-2017 to the
22 joint appropriations committee. The joint appropriations committee shall report
23 any recommendation to revise the external cost adjustment as a result of the
24 review of the preliminary student enrollment data to the governor and the
25 legislature.
26

27 **Section 6.** The amendments to 2016 Wyoming Session
28 Laws, Chapter 31, Section 2, Section 205 enacted pursuant
29 to section 5 of this act shall be given precedence and
30 shall prevail over any amendments to 2016 Wyoming Session
31 Laws, Chapter 31, Section 2, Section 205 in 2017 House Bill
32 0001 to the extent that 2017 House Bill 0001 is in conflict
33 with this act. To the extent required by this section, the
34 legislative service office shall adjust totals and renumber
35 as necessary the provisions of 2017 House Bill 0001 as
36 enacted into law and shall note the adjustment and
37 authority for the adjustment.
38

1 **Section 7.**

2

3 (a) As provided in W.S. 21-13-309(m)(v)(B)(V), no new
4 alternative school shall be approved by any school district
5 or the state superintendent on or after March 15, 2017
6 through June 30, 2019. If any alternative school is
7 approved under W.S. 21-13-309(m)(v)(B) prior to March 15,
8 2017 but the school facilities for that alternative school
9 have not been constructed prior to March 15, 2017, no
10 design or construction funds shall be expended by the
11 school facilities division of the state construction
12 department to construct the facilities for that alternative
13 school until July 1, 2019 or thereafter. Nothing in this
14 section shall be deemed to prohibit expenditures related to
15 major maintenance for existing alternative school
16 facilities or to prohibit the completion of existing
17 construction projects if physical construction of the
18 project was commenced prior to March 15, 2017.

19

20 (b) The joint education interim committee shall
21 conduct a study related to alternative schools and report
22 the results of the study along with any recommended
23 legislation to the legislature not later than November 30,

1 2018. The study under this subsection shall include a
2 review of existing alternative schools, other alternative
3 student placement options available to school districts and
4 outcome statistics available for students who are placed in
5 alternative schools.

6

7 **Section 8.**

8

9 (a) There is created a joint select committee on
10 education funding consisting of sixteen (16) members as
11 follows:

12

13 (i) Two (2) members of the house education
14 committee;

15

16 (ii) Two (2) members of the senate education
17 committee;

18

19 (iii) Two (2) members of the house revenue
20 committee;

21

22 (iv) Two (2) members of the senate revenue
23 committee;

1

2 (v) Two (2) members of the house appropriations
3 committee;

4

5 (vi) Two (2) members of the senate
6 appropriations committee;

7

8 (vii) Two (2) at-large members of the house of
9 representatives;

10

11 (viii) Two (2) at-large members of the senate.

12

13 (b) The speaker of the house of representatives shall
14 appoint the house members of the select committee not later
15 than March 15, 2017, one (1) of whom the speaker shall
16 designate as cochairman. Not more than six (6) members from
17 the house of representatives shall be from the same
18 political party. The president of the senate shall appoint
19 the senate members of the select committee not later than
20 March 15, 2017, one (1) of whom the president shall
21 designate as cochairman. Not more than six (6) members from
22 the senate shall be from the same political party.

23

1 (c) The select committee shall review the educational
2 program under W.S. 21-9-101 and complete a recalibration of
3 the education resource block grant model pursuant to W.S.
4 21-13-309(t) to determine if modifications are necessary to
5 ensure it remains cost-based in light of changing
6 conditions and modifications to law.

7
8 (d) The select committee shall also study and
9 recommend solutions to the projected budget shortfall for
10 funding related to public education in the state of
11 Wyoming. The select committee shall focus on five (5) major
12 issues related to school funding as follows:

13
14 (i) Options for use of existing unencumbered,
15 unobligated revenues;

16
17 (ii) Consideration of use of diversions of
18 existing revenue streams and investment income;

19
20 (iii) Options to increase revenues;

21
22 (iv) The potential for savings by utilizing
23 education savings accounts;

1

2 (v) Options for budget and expenditure
3 reductions.

4

5 (e) The select committee shall also study and
6 recommend options for permanent funding solutions for
7 school capital construction and major maintenance.

8

9 (f) The cochairmen of the select committee shall
10 direct the formation of three (3) subcommittees of the
11 select committee to consider the issues specified in
12 subsection (d) of this section and report findings and
13 recommendations back to the full committee. The cochairmen
14 shall designate a chairman of each subcommittee formed
15 under this subsection.

16

17 (g) The select committee shall solicit input and
18 recommendations from the school finance data advisory
19 committee established under W.S. 21-2-203(d) related to the
20 issues specified in this section. The school finance data
21 advisory committee shall report to the select committee
22 within the timelines specified by the cochairmen in order
23 for the report of the school finance data advisory

1 committee to be considered prior to the date specified in
2 subsection (o) of this section.

3

4 (h) The governor shall appoint three (3) advisory
5 groups to provide input and recommendations to the three
6 (3) subcommittees of the select committee. The advisory
7 groups shall consist of not more than four (4) members
8 each. The governor shall ensure that the members of the
9 advisory groups include stakeholders representing school
10 districts, teachers, parents of students, taxpayers and the
11 general public, provided that no one (1) advisory group
12 shall be required to include representatives of all
13 stakeholders. Each member of an advisory group who is not a
14 state employee may receive per diem and mileage for
15 attending and traveling to and from select committee or
16 subcommittee meetings in the same manner and amount as
17 members of the Wyoming legislature.

18

19 (j) The select committee shall be staffed by the
20 legislative service office. The department of education,
21 the department of revenue, the department of workforce
22 services, the school facilities division of the state
23 construction department, the school facilities commission

1 and the state budget office shall serve in an advisory
2 capacity to the select committee and shall provide
3 technical and other information to the select committee
4 upon request.

5

6 (k) The select committee shall introduce legislation
7 consistent with its recommendations to the legislature for
8 consideration during the next session of the legislature.

9

10 (m) The select committee may seek out expert opinions
11 related to the issues specified in subsections (c), (d) and
12 (e) of this section and may hire consultants as necessary
13 to complete the study and recommendations required under
14 this section. The legislative service office is authorized,
15 subject to the approval of management council, to contract
16 with consultants for the purposes of this subsection in
17 sufficient time for the select committee to complete
18 recalibration of the education resource block grant model
19 during the 2017 interim.

20

21 (n) The select committee, including meetings of
22 subcommittees, shall meet not less than seven (7) times
23 during the 2017 interim throughout the state in locations

1 as determined by the cochairmen. To the extent practical,
2 the select committee or a subcommittee of the select
3 committee shall meet at least once in each of the seven (7)
4 appointment districts as provided in W.S. 9-1-218(b).

5

6 (o) The select committee shall complete its work and
7 recommendations not later than January 31, 2018.

8

9 (p) The select committee created by this section
10 shall exist until March 31, 2018.

11

12 **Section 9.**

13

14 (a) There is appropriated one hundred twenty-two
15 thousand five hundred dollars (\$122,500.00) from the
16 legislative stabilization reserve account to the
17 legislative service office. This appropriation shall be for
18 the period beginning with the effective date of this
19 section and ending June 30, 2018. This appropriation shall
20 only be expended for the purposes of the joint select
21 committee on education funding as provided in section 8 of
22 this act. Any unexpended, unobligated funds remaining from

1 this appropriation shall revert as provided by law on June
2 30, 2018.

3
4 (b) There is appropriated forty-six thousand dollars
5 (\$46,000.00) from the legislative stabilization reserve
6 account to the governor's office. This appropriation shall
7 be for the period beginning with the effective date of this
8 section and ending June 30, 2018. This appropriation shall
9 only be expended for the purpose of providing reimbursement
10 for advisory group members under subsection (h) of section
11 8 of this act. Notwithstanding any other provision of law,
12 this appropriation shall not be transferred or expended for
13 any other purpose and any unexpended, unobligated funds
14 remaining from this appropriation shall revert as provided
15 by law on June 30, 2018.

16
17 **Section 10.** On the effective date of this section,
18 the state treasurer shall transfer any unexpended and
19 unencumbered amounts from the school foundation program
20 reserve account to the common school spending policy
21 reserve account under W.S. 9-4-719(f).

22
23 **Section 11.**

1

2 (a) Except as otherwise provided in subsection (b) of
3 this section, this act is effective July 1, 2017.

4

5 (b) W.S. 21-13-309(m)(v)(B) and 21-13-320 as amended
6 by section 1 of this act and sections 7, 8 and 9 of this
7 act are effective immediately upon completion of all acts
8 necessary for a bill to become law as provided by Article
9 4, Section 8 of the Wyoming Constitution.

10

11

(END)